

(Adopted: 01/07/76, CARB Ex. Ord. G-73: 02/01/77;
Readopted: 07/25/77)

RULE 201

Permit to Construct

A person shall not build, erect, install, alter or replace any equipment, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce or control the issuance of air contaminants without first obtaining written authorization for such construction from the Air Pollution Control Officer. A permit to construct shall remain in effect until the permit to operate the equipment for which the application was filed is granted or denied, or the application is canceled.

[SIP: Approved 11/09/78, 43 FR 52237, 40 CFR 52.220(c)(39)(ii)(B) and 40 CFR 52.220(c)(31)(iv)(C)]

(Adopted: 01/09/76, CARB Ex. Ord. G-73: 02/01/77;
Readopted: 07/25/77)

RULE 202

Temporary Permit to Operate

- (a) New equipment - A person shall notify the Air Pollution Control Officer before operating or using equipment granted a permit to construct. Upon such notification, the permit to construct shall serve as a temporary permit for operation of the equipment until the permit to operate is granted or denied. The equipment shall not be operated contrary to the conditions specified in the permit to construct.
- (b) Altered equipment - The permit to construct granted to modify equipment having a valid permit to operate shall serve as a temporary permit for operation of the equipment until a new permit to operate is granted or denied. The altered equipment shall not be operated contrary to the conditions specified in the permit to construct. A person must notify the Air Pollution Control Officer when construction of the modification has been completed.
- (c) Existing Equipment - When an application for permit to operate is filed for existing equipment, the application shall serve as a temporary permit for operation of the equipment.

If the equipment was previously operated under permit and had not been altered, it shall not be operated under a temporary permit contrary to the conditions specified in the previous permit to operate.

[SIP: Approved 11/9/78, 43 FR 52237, 40 CFR 52.220(c)(39)(ii)(B), 40 CFR 52.220(c)(32)(iv)(C) and 40 CFR 52.220(c)(31)(vi)(C)]

(Adopted: 01/09/76; CARB Ex. Ord. G-73: 02/01/77;
Amended: 01/07/77; Readopted: 07/25/77)

RULE 203

Permit to Operate

A person shall not operate or use any equipment, the use of which may cause the issuance of air contaminants or the use of which may reduce or control the issuance of air contaminants, without first obtaining a written permit from the Air Pollution Control Officer or except as provided in Rule 202. The equipment shall not be operated contrary to the conditions specified in the permit to operate.

[SIP: Approved 11/9/78, 43 FR 52237, 40 CFR 52.220(c)(39)(ii)(B) and 40 CFR 52.220(c)(31)(vi)(C)]

(Adopted: 01/07/77; CARB Ex. Ord. G-73: 02/01/77;
Readopted: 07/25/77; Superseded by Regulation XIII as
adopted: 07/21/80)

RULE 203.1

Special Permit Provisions

Any person operating basic equipment under permit pursuant to Rule 203 and who plans to make modifications to that equipment or related control equipment, or to install additional control equipment, for the purpose of effecting emission reductions under the provisions of Rule 213 (e) (2) or Rule 213 (e) (3), shall submit applications for new permits to construct or operate both the basic and control equipment involved in such reductions, regardless of whether modifications or additions are to be made either to the basic or control equipment, or both.

Existing permits to operate pertaining to the basic and control equipment as specified above shall be surrendered and canceled at the time such new permits to construct or operate are issued. Such new permits shall not be effective unless surrender of such existing permits has been made. If such new permits are denied, such existing permits surrendered pursuant to this section shall be reissued and restored.

The Air Pollution Control Officer shall impose those written conditions on such new permits specifying emission limits or other conditions which the Air Pollution Control Officer deems necessary to insure that the reductions considered for the purpose of Rule 213 (e) (2) or Rule 213 (e) (3) are made.

[SIP: Not SIP; Superseded by approval of Reg. XIII as adopted 8/21/80, 6/9/82 47 FR 25013, 40 CFR 52.220(c)(87)(iv); approved 11/9/78, 43 FR 52237, 40 CFR 52.220(c)(39)(ii)(B) and 40 CFR 52.220(c)(31)(vi)(C)]

(Adopted: 02/20/79; Superseded by Regulation XIII as
adopted: 07/21/80)

RULE 203.2

Eligibility of Compensatory Emission Reductions

In evaluating applications under Rules 203.1 and 213, the Air Pollution Control Officer shall:

- (a) Consider compensatory emission reductions only after applications have been submitted in accordance with Rule 203.1 and such applications are substantially complete in accordance with Rule 210.
- (b) Not consider compensatory emission reductions if before the applications are substantially complete, a public hearing is set to consider adopting rules which would require the same emission reductions from the same equipment type as those proposed by the applicant. In the event that such rules are not adopted or are adopted only in part, the control technology not adopted will no longer be ineligible for compensatory emission reductions.
- (c) Notify the applicant in writing when applications reviewed under Rule 203.1 and 213 are considered substantially complete.

The provisions of this rule shall apply to applications received on or after date this rule is adopted.

[SIP: Not SIP; Superseded by approval of Reg. XIII as adopted 7/21/80, 6/9/82, 47 FR 25013, 40 CFR 52.220(c)(87)(iv)]

(Adopted: 01/09/76; CARB Ex. Ord. G-73: 02/01/77;
Readopted: 07/25/77)

RULE 204

Permit Conditions

To assure compliance with all applicable regulations, the Air Pollution Control Officer may impose written conditions on any permit. Commencing work or operation under such a permit shall be deemed acceptance of all the conditions so specified.

[SIP: Approved 11/9/78, 43 FR 52237, 40 CFR 52.220(c)(39)(ii)(B) and 40 CFR

52.220(c)(31)(vi)(C)]

(Adopted: 01/07/77; CARB Ex. Ord. G-73: 02/01/77;
Readopted: 07/25/77)

RULE 204.1

Special Permit Conditions

A person shall not operate equipment contrary to permit conditions specified on permits issued in accordance with the provisions of Rule 203.1.

[SIP: Approved 11/9/78, 43 FR 52237, 40 CFR 52.220(c)(39)(ii)(B) and 40 CFR 52.220(c)(31)(vi)(C)]

(Adopted: 01/09/76; CARB Ex. Ord. G-73: 02/01/77;
Readopted: 07/25/77)

RULE 205

Cancellation of Applications

An application for a permit shall be canceled and a permit to construct shall expire two years from the date of filing of the application unless an extension of time has been approved by the Air Pollution Control Officer.

[SIP: Approved 11/9/78, 43 FR 52237, 40 CFR 52.220(c)(39)(ii)(B) and 40 CFR 52.220(c)(31)(vi)(C)]

(Adopted: 02/06/76; CARB Ex. Ord. G-73: 02/01/77;
Readopted: 07/25/77)

RULE 206

Posting of Permit to Operate

A person granted a permit under Rule 203 shall not operate or use any equipment unless the entire permit to operate or a legible facsimile of the entire permit is affixed upon the equipment in such a manner that the permit number, equipment description, and the specified operating conditions are clearly visible and accessible. In the event that the equipment is so constructed or operated that the permit to operate or the legible facsimile cannot be so placed, the entire permit to operate or the legible facsimile of the entire permit shall be mounted so as to be clearly visible in an accessible place within 8 meters (26 feet) of the equipment or as otherwise approved by the Air Pollution Control Officer.

[SIP: Approved 11/9/78, 43 FR 52237, 40 CFR 52.220(c)(39)(ii)(B) and 40 CFR 52.220(c)(31)(vi)(C)]

(Adopted: 01/09/76; CARB Ex. Ord. G-73: 02/01/77;
Readopted: 07/25/77)

RULE 207

Altering or Falsifying a Permit

A person shall not willfully deface, alter, forge or falsify any permit issued under these rules.

[SIP: Approved 11/09/78, 43 FR 52237, 40 CFR 52.220(c)(39)(ii)(B) and 52.220(c)(31)(vi)(C)]

(Adopted: 10/08/76; CARB Ex Ord. G-73: 02/01/77;
Readopted: 07/25/77)

RULE 208

Permit for Open Burning

A person, required to obtain a permit for open burning pursuant to Rule 444, shall not set or allow any open outdoor fire without first having applied for and been issued a written permit for such fire by the Air Pollution Control Officer.

[SIP: Approved 9/8/78, 43 FR 40011, 40 CFR 52.220(c)(39)(ii)(C)]

(Adopted: 01/09/76; CARB Ex. Ord. G-73: 02/01/77;
Readopted: 07/25/77)

RULE 209

Transfer and Voiding of Permits

A permit shall not be transferable, whether by operation of law or otherwise, either from one location to another, from one piece of equipment to another, or from one person to another.

When equipment which has been granted a permit is altered, changes location, changes ownership or no longer will be operated by the permittee, the permit shall become void. For the purposes of this rule, statutory mergers or name changes shall not constitute a transfer or change of ownership.

[SIP: Approved 11/9/78, 43 FR 52237, 40 CFR 52.220(c)(39)(ii)(B) and 40 CFR 52.220(c)(31)(vi)(C)]

(Adopted: 01/09/76; CARB Ex. Ord. G-73: 02/01/77;
Readopted: 07/25/77)

RULE 210

Applications

Every application for a permit required under Rules 201, 203 and 208 shall be filed in a manner and form prescribed by the Air Pollution Control Officer, and shall give all the information necessary to enable the Air Pollution Control Officer to make the determination required by Rule 212 and any other standard applicable to the granting of permits.

[SIP: Approved 11/9/78, 43 FR 52237, 40 CFR 52.220(c)(39)(ii)(B) and 40 CFR 52.220(c)(31)(vi)(C)]

(Adopted: 01/09/76; CARB Ex. Ord. G-73: 02/01/77;
Readopted: 07/25/77)

RULE 211

Action on Permits

The Air Pollution Control Officer shall act, within a reasonable time, on an application for permit and shall notify the applicant in writing of the approval or denial of the permit.

[SIP: Approved 11/9/78, 43 FR 52237, 40 CFR 52.220(c)(39)(ii)(B) and 40 CFR 52.220(c)(31)(vi)(C)]

RULE 212

Standards for Approving Permits

- (a) The Air Pollution Control Officer shall deny a permit to construct or permit to operate, except as provided in Rule 203, unless the applicant shows that the equipment, the use of which may cause the issuance of air contaminants, or the use of which may eliminate, reduce or control the issuance of air contaminants, is so designed, controlled, or equipped with such air pollution equipment that it may be expected to operate without emitting air contaminants in violation of Sections 41700 or 41701 of the State Health and Safety code or of these rules.
- (b) If the Air Pollution Control Officer finds that the equipment has not been constructed in accordance with the permit and provides less effective air pollution control than the equipment specified in the permit to construct, he shall deny the permit to operate.

[SIP: Approved 11/9/78, 43 FR 52237, 40 CFR 52.220(c)(39)(ii)(B) and 40 CFR 52.220(c)(31)(vi)(C)]